vss

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3410 OF 1986

Ceres Company (Pvt.) ltd. ... Plaintiffs

V/s.

Dhirajlal & Sons & Ors. ... Defendants

Mr.A.S. Doctor with Hiten Sampat i/b M/s.Bachubhai Munim & Co. for Plaintiffs
None for Defendants

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **MARCH 28, 2006**

P.C.:

. The plaintiffs have filed the suit for recovery of sum of Rs.3 lacs with interest @ 6% per annum from the date of filing of the suit till payment or realisation. According to the plaintiffs, Defendant No.1 executed the bill of exchange on 21.9.1985 in its favour. The bill of exchange was accepted by Defendant No.4. The amount remained unpaid and therefore, the plaintiffs through their advocate's notice dated 15.10.1986 called upon the defendant to repay the amount of Rs.3 lacs.

2. Although the defendants were granted unconditional leave to defend the suit, they have not filed their written statement as yet.

3. The matter is, therefore, listed for ex-parte decree. Nobody appears for the Defendants even today.

The plaintiffs have filed the original bill of exchange which has been executed by Defendant No.1 and accepted by Defendant No.4. There are no militating factors against the plaintiffs and therefore, the plaintiffs are entitled to decree.

4. Suit decreed as prayed for.